IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6605 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

ZARINABANU IBRAHIMBHAI RAJPURA

Versus

GUJ STATE SOCIAL WELFARE ADVISORY BOARD

Appearance:

MR CH VORA for Petitioner

MR MANOJ N POPAT for Respondent No. 1

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 16/06/2000

ORAL JUDGEMENT

Heard learned counsel for the parties.

2. learned counsel for the respondent raised a question that the present petition is not maintainable

under Article 226 of the Constitution. Learned counsel submits a copy of the judgment & order passed by Division Bench of this Court dated 20-11-1998 in LPA No. 812 of 1995. The Division Bench of this Court held that the Gujarat State Social Welfare Advisory Board is neither an instrumentality nor an agency of the State within the meaning of Article 12 of the Constitution. Petitioner Smt. Zarinabanu Ibrahimbhai Rajpura claims relief against Gujarat State Social Welfare Advisory Board. In view of the aforesaid decision of the Division Bench, I am of the view that this petition cannot be maintainable under Article 226 of the Constitution against Gujarat State Social Welfare Advisory Board. This petition is accordingly dismissed. Rule discharged. I make no order as to costs.

Copy of the Judgment & order in LPA 812 of 1995 be pleased on record.

DT: 16-6-2000 (P.K. Sarkar, J)

/vgn.